

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number 042933/366103

(filed with the Notice of Appeal)

Application Number 10/529,195

Filed March 24, 2005

First Named Inventor Mika Aalto

Art Unit 2446

Examiner Abdelnabi O. Musa

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

Respectfully submitted,



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Attachment

Reasons for Requesting Pre-Appeal Brief Request for Review

Claims 1-3, 18-19, 21, 26, 28, 33-38, 44-47, and 51-52 are pending. The Office Action rejects Claims 1-3, 18-19, 21, 26, 28, 33-38, 44-47, and 51-52 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,314,095 to Loa ("Loa") in view of U.S. Pat. App. Pub. No. 2002/0126675 to Yoshimura et al. ("Yoshimura"). In light of the subsequent remarks, Applicants respectfully submit that the rejections should be reversed and the pending claims are in condition for allowance.

The Rejection of Independent Claims 1, 33, and 34 under §103(a) Should be Reversed

The Office Action submits that independent Claims 1, 33, and 44 ("the independent claims") are unpatentable over the combination of Loa and Yoshimura. Independent Claim 1 is directed to a method comprising receiving a data packet at an input interface. The received data packet comprises a header section and a pay-load section. The header section comprises a compressed header section containing coded information including routing information. The method additionally comprises decompressing said routing information from said compressed header section. The method also comprises including at least a part of said decompressed routing information into said data packet. The method further comprises routing said data packet to an output interface. The method additionally comprises forwarding said data packet to said output interface, wherein said routing comprises ascertaining said routing information from said compressed header section, and wherein said coded information is left unchanged by said routing and forwarding. Independent Claims 33 and 44 are directed to apparatuses and though they have their own respective scopes, include substantially similar features as Claim 1 insofar as this discussion is concerned.

Although the Applicants appreciate the Examiner attempting to clear up what the Office admits Loa does not teach in the Advisory Action, Applicants are still not entirely clear how the Office is constructing Loa. In this regard, both the Office Action and the Advisory Action posit that "Loa fails to explicitly teach wherein decompressing routing

information including at least a part of said decompressed routing information into said data packet.” Since the independent claims recite decompressing routing information from a compressed header section of a received data packet and including at least a part of said decompressed routing information into said data packet, Applicants interpret the Office as admitting that Loa does not teach including at least a part of the decompressed routing information into the received data packet. Briefly, Yoshimura, which is relied on as curing the admitted deficiencies of Loa is directed to a packet transmission method for transmitting packets according to a quality of service requirement. In this regard, Yoshimura teaches dividing packets into a plurality of shorter data units so that real-time packets may be transmitted according to quality of service requirements even during transmission of a large data type IP packet. *See*, paragraphs 88 and 89 of Yoshimura.

In particular, the Office Action alleges that paragraphs 36, 62, 108, and 113 and FIG. 14 of Yoshimura cure the deficiencies of Yoshimura. The Office Action alleges that this portion of Yoshimura teaches “a packet transmission method and system for dividing a normal transmission packet into a plurality of data units each having a shorter data length, and scheduling transmission order of those data units and attaching the data packet in front of the header to be decompressed first, as shown in FIG. 16, the header decompressing process is applied to the assembled header compressed packet by the header decompression part...and the decompressed IP packet is then transferred.”

Applicants, however, respectfully disagree with the Office’s position on the disclosure of Yoshimura. In this regard, Yoshimura teaches in paragraphs 77-80 that a data packet with a compressed header is divided into data units and the data units carry an indication of whether retransmissions are used. This information is not routing information, as the independent claims require. Accordingly, Yoshimura does not teach or suggest including at least a part of the decompressed routing information into the data packet. Moreover, the divided data units taught by Yoshimura do not themselves carry a compressed header. Only the reassembled data packet as a whole does.

Applicants further note that the Examiner alleges in the Advisory Action that the combination of Loa and Yoshimura teaches “a method for a high-speed multimedia content switch or information routing with compressed internet protocol header...The

payload is appended to the compressed header to create a compressed IP packet then transmitting or routing to multiple destinations whereas the compressed IP packet is decompressed at the destination.” Clearly, the alleged teaching of the combination of Loa and Yoshimura teaches away from the independent claims. In this regard, the inclusion of decompressed routing information in a data packet as recited by the independent claims allows the data packet to be routable without requiring any additional compressing or decompressing of the routing information at subsequent points (e.g., routers) along a routing path from the data packet source to the data packet destination. Accordingly routing information is not decompressed and included in the data packet in a final destination, but rather an intermediate hop. Claim 1 clearly indicates as such, as Claim 1 recites routing the data packet to an output interface and forwarding the data packet to the output interface (e.g., after decompressing the routing information and including the decompressed routing information into the data packet). In contrast, the combination set forth and described in the Advisory Action and, in particular, Loa teaches decompressing the IP packet at the IP packet’s final destination. *See, e.g.*, Claim 1 of Loa as well as Col. 4, lines 15-16, which discuss “end-to-end compression/decompression.”

Moreover, none of the other cited references, taken alone or in combination, cure the deficiencies of the combination of Loa and Yoshimura. Accordingly, for at least the foregoing reasons, Applicants respectfully submit that none of the cited references, taken alone or in combination, teach or suggest the independent claims. Therefore, Applicants respectfully submit the independent claims are patentably distinct over the cited references, taken alone or in combination, such that the rejection of the independent claims should be reversed. Applicants additionally submit the independent claims are in condition for allowance.

The Rejection of the Dependent Claims Should Be Reversed

Because each of dependent claims includes each of the recitations of a respective independent base claim, Applicants further submit that the dependent claims are

patentably distinguishable from the cited references, taken alone or in combination, for at least those reasons discussed above and thus the rejections of the dependent claims should be reversed.